

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRUCE CORKER d/b/a RANCHO ALOHA, *et al.*,

Plaintiffs,

v.

COSTCO WHOLESALE CORPORATION, *et al.*,

Defendants.

Case No. C19-0290RSL

ORDER GRANTING IN PART
PLAINTIFFS' MOTION TO SEAL

This matter comes before the Court on plaintiffs' "Motion for Leave to File Under Seal." Dkt. # 565. Plaintiffs seek to seal excerpts of testimony and exhibits on the ground that defendants designated the documents as confidential during discovery (or because documents produced by non-parties are of the type that has been designated as confidential by defendants).

"There is a strong presumption of public access to the court's files," and, absent a showing that the public's right of access is outweighed by the interests of the public and/or the parties in shielding the material from public view, a seal is not appropriate. LCR 5(g). A party's unilateral designation of a document as confidential under a protective order does not, in and of itself, justify a seal under LCR 5(g)(2). Only two defendants filed responses to the motion as required by LCR 5(g)(3) or otherwise attempted to show that legitimate private or public interests warrant a seal despite the public's right of access. Having reviewed their submissions

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1 and applying them to similar materials designated as confidential by other parties and non-
2 parties, the Court finds that Dkt. #566 should remain under seal with the exception of Dkt. #566-
3 4 (Exhibit C) and Dkt. #566-5 (Exhibit D). L&K has not asserted, much less shown, that these
4 marketing materials and labels have been kept in confidence or that their disclosure would give
5 its competitors an unfair advantage.

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7 For all of the foregoing reasons, plaintiffs' request for a seal (Dkt. #565) is GRANTED in
8 part. The Clerk of Court is directed to unseal Dkt. # 566-4 and #566-5.

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10 Dated this 25th day of January, 2023.

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12 Robert S. Lasnik
13 United States District Judge
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